

THE STATE OF NEW HAMPSHIRE

SUPREME COURT

ORDER

LD-2012-0013, In the Matter of Lisa A. Biron

On November 21, 2012, the Attorney Discipline Office (ADO) filed certified copies of the indictments filed in United States District Court for the District of New Hampshire of Attorney Lisa Biron for one count of transportation with intent to engage in criminal sexual activity, four counts of sexual exploitation of children, and one count of possession of child pornography. When it filed the indictments, the ADO advised the court that it did not recommend that the court take any action against Attorney Biron "at this time."

On November 28, 2012, the court issued an order requiring the ADO to provide additional information about the pending charges and to explain the basis for its recommendation. The order also permitted Attorney Biron to file a memorandum addressing whether she should be suspended on an interim basis pending resolution of federal and state criminal charges.

By letter dated November 29, 2012, which was received by the court on December 4, 2012, Attorney Biron notified the court that she agreed to an interim suspension.

On December 5, 2012, the ADO filed a petition for immediate interim suspension of Attorney Biron from the practice of law. The petition states that the U.S. District Court Magistrate Judge Landya McCafferty had issued an order for Attorney Biron's detention pending trial, finding that "there are no conditions or combination of conditions of release that will reasonably assure the safety of the community." The ADO asserts that Attorney Biron's immediate interim suspension from the practice of law is necessary for the protection of the public and the preservation of the integrity of the legal profession.

Supreme Court Rule 37(9)(i) provides:

Whenever an attorney is indicted or bound over for any felony, the court shall take such actions as it deems necessary, including but not limited to the suspension of the attorney.

This court has stated that it may impose an interim suspension pending the resolution of criminal charges in accordance with this provision when it is

U.S. DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE
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deemed necessary: (1) for the protection of the public and; (2) for the preservation of the integrity of the legal profession. See Rule 37(16)(f); Reiner's Case, 152 N.H.163, 168 (2005).

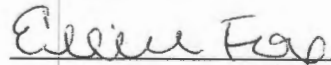
Based on the information submitted by the ADO in its petition, the court finds that Attorney Biron's immediate suspension from the practice of law is necessary to protect the public and to preserve the integrity of the legal profession. See Rule 37(16)(d) and (f). The court notes that Attorney Biron agrees to an interim suspension. Accordingly, it is hereby ordered:

1. Attorney Lisa A. Biron is immediately suspended from the practice of law in New Hampshire on a temporary basis pending further order of this court.
2. Attorney Biron is enjoined from transferring, assigning, hypothecating, or in any manner disposing of or conveying any assets of clients, whether real, personal, beneficial or mixed; and
3. A copy of this order and of the Attorney Discipline Office's filing shall be served on Attorney Biron by first class mail and certified mail, return receipt requested. A copy of this order shall also be sent to the ADO by first class mail.

Dalianis, C.J., and Hicks, Conboy, Lynn, and Bassett, JJ., concurred.

DATE: December 7, 2012

ATTEST:


Eileen Fox, Clerk

Distribution:
Attorney Discipline Office
Thomas V. Trevethick, Esq.
Lisa A. Biron, Esq.
File